

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:04-CR-00047-F1

UNITED STATES OF AMERICA

v.

THOMAS NEIL PICKETT

)  
)  
)  
)  
)  
)

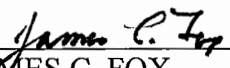
O R D E R

This matter is before the court on Defendant Thomas Neil Pickett's Motion for an Alternate Means of Incarceration Pursuant to U.S.S.G. 5C1.1 [DE-226]. Mr. Pickett seeks a modification of his sentence which would allow him to serve the remainder of his 188-month sentence under home confinement rather than incarcerated in the Bureau of Prisons.

Once it has imposed a term of imprisonment, the court may modify that term in only three specific circumstances. *See* 18 U.S.C. § 3582(c). Those instances are: (1) upon a motion of the Director of the Bureau of Prisons; (2) pursuant to a Rule 35 motion brought by the government; and (3) pursuant to a sentencing range lowered by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(o). *Id.* Because none of these circumstances are presented here, the instant motion [DE-226] is DENIED.

SO ORDERED.

This the 21<sup>st</sup> day of July, 2016.

  
\_\_\_\_\_  
JAMES C. FOX  
Senior U.S. District Judge